

MINUTES OF THE REGULAR CITY COUNCIL MEETING

A regular meeting of the City Council was held on the 18th day of October, 2021 at 7:00 p.m. in the BPS Administration Building Board Room, 320 North 5th Street, Beatrice, Nebraska.

Acting Mayor Clabaugh led those in attendance in the Pledge of Allegiance.

ROLL CALL

Attending: Councilmembers: Barnard, Billesbach, Clabaugh, Kerr, McLain, Morgan

Absent: Mayor Wirth, Councilmembers: Fairbanks, Fralin

Acting Mayor Clabaugh announced that a copy of the Open Meetings Act is posted in the meeting room and is accessible to members of the public.

CONSENT AGENDA

- a. Approve agenda as submitted.
- b. Receive and place on file all notices pertaining to this meeting.
- c. Receive and place on file all materials having any bearing on this meeting.
- d. Approval of minutes of regular meeting on October 4, 2021, as on file in the City Clerk's Office.
- e. Approval of Treasurer's Report of Claims in the amount of \$899,846.15.
- f. Approval of BASWA Report of Claims in the amount of \$58,294.23.
- g. Approval of write-off of ambulance bad debts.
- h. Award bid for the Chief Standing Bear Trail Concrete Parking Lot Project - 2021 to R.L. Tiemann Construction, in the amount of \$50,856.06.
- i. Resolution Number 6779 forgiving ten percent (10%), or \$10,000.00, of the original principal amount of the LB840 Economic Development Loan to Hybrid Turkeys, LLC.
- j. Resolution Number 6780 executing the Agreement between the City and the Beatrice Humane Society, Inc., regarding the care, handling, and disposition of animals impounded by the City of Beatrice.
- k. Resolution Number 6784 authorizing Vox Media to utilize West Court Street, from 4th Street to 6th Street, and 6th Street, from Court Street to the alleyway between Ella Street and Elk Street, on November 10, 2021, from the hours of 5:00 p.m. to 3:00 a.m. November 11, 2021 for the filming of a documentary.

Moved by Morgan, seconded by Billesbach, that all items under the consent agenda, be approved, accepted, and/or ratified as presented.

Roll Call: Yea: Barnard, Billesbach, Clabaugh, Kerr, McLain, Morgan

Nay: None

MOTION CARRIED.

PUBLIC HEARINGS/BIDS

There were no public hearings/bids.

RESOLUTIONS

Resolution Number 6781 entering into a Low-Income Household Water Assistance Program Vendor Agreement with the Nebraska Department of Health and Human Services, as recommended by the Board of Public Works

Acting Mayor Clabaugh introduced Resolution Number 6781 entering into a Low-Income Household Water Assistance Program Vendor Agreement with the Nebraska Department of Health and Human Services, as recommended by the Board of Public Works.

Moved by Morgan, seconded by McLain, that Resolution Number 6781 be passed and adopted.

Tobias J. Tempelmeyer, City Administrator/General Manager, reported to the Council that the Nebraska Department of Health and Human Services (DHHS) notified the City that they have received \$6 million to be used for a low-income water assistance program. Tempelmeyer stated funding will start in early 2022 and will continue until funds are exhausted or until September 30, 2023. The funding will be used to pay water and wastewater bills, for those who qualify. Tempelmeyer explained there are a number of qualifications, including those who currently receive foods stamps, Veteran's pension, low-income home energy assistance, and others. Tempelmeyer explained that in general a family of four (4) with an income of less than \$37,000 per year would qualify. Tempelmeyer stated the customer will need to submit an application to the City if they wish to participate in the program, which is for residential customers only. Tempelmeyer noted the City can provide thirty (30) day written notice that it wishes to discontinue the program.

Roll Call: Yea: Barnard, Billesbach, Clabaugh, Kerr, McLain, Morgan

Nay: None

MOTION CARRIED.

Resolution Number 6781 has been passed and adopted.

Resolution Number 6782 entering into any and all Settlement Agreements involving the opioid litigation brought by states and local political subdivisions against McKesson, Cardinal Health and AmerisourceBergen, and Johnson & Johnson, to receive the City's direct share of settlement proceeds and/or to be eligible to receive any additional distribution or grant from the State of Nebraska's share of said proceeds

Acting Mayor Clabaugh introduced Resolution Number 6782 entering into any and all Settlement Agreements involving the opioid litigation brought by states and local political subdivisions against McKesson, Cardinal Health and AmerisourceBergen, and Johnson & Johnson, to receive the City's direct share of settlement proceeds and/or to be eligible to receive any additional distribution or grant from the State of Nebraska's share of said proceeds.

Moved by Morgan, seconded by Kerr, that Resolution Number 6782 be passed and adopted.

Tobias J. Tempelmeyer, City Administrator/General Manager, reported to the Council that a couple of years ago, a number of states sued several manufacturers and settlements for \$22.8 billion dollars have been reached. Tempelmeyer explained that because Beatrice's population is over 10,000, we are listed as a participating subdivision. In order to receive any funding, the first step is for the City to sign the Settlement Agreements. Tempelmeyer stated once this has been submitted, more information will be made available as to what the funding can be used for. Items such as intervention, treatment, education, and recovery are all

possible avenues. Acting Mayor Clabaugh inquired what the City's share will be. Tempelmeyer stated he is unsure at this time.

Roll Call: Yea: Barnard, Billesbach, Clabaugh, Kerr, McLain, Morgan
Nay: None

MOTION CARRIED.

Resolution Number 6782 has been passed and adopted.

Resolution Number 6783 approving a Union Contract with the Firefighters Union, Local No. 1098

Acting Mayor Clabaugh introduced Resolution Number 6783 approving a Union Contract with the Firefighters Union, Local No. 1098.

Moved by Morgan, seconded by McLain, that Resolution Number 6783 be passed and adopted.

Tobias J. Tempelmeyer, City Administrator/General Manager, reported to the Council that Firefighters Union, which include Firefighter/EMT and Firefighter Paramedics, has agreed to a six (6) year contract. The contract calls for a 16.5% increase in wages broken down annually as follows: 3%, 3%, 2.5%, 2.5%, 2.5%, 3%. The City and Firefighter Union looked at the CIR rules, which compare wages, pensions, and health insurance in other communities. Tempelmeyer stated the only other significant change is that the contract adjusted the bereavement schedule to match up with the Kelley Days work cycle that the Department switched to a couple of years ago. Tempelmeyer explained the contract will be retroactive to October 1, 2021 when the previous contract expired. Councilman Kerr inquired how many days off they will receive for bereavement leave with this adjustment. Tempelmeyer noted if you look on a calendar cycle, for a parent, spouse, or child they receive ten (10) days, and others five (5) calendar days, which is basically identical to the previous contract. Acting Mayor Clabaugh inquired if this is the longest union contract term the City has had. Tempelmeyer stated typically the contracts are two (2) to three (3) years, however, six (6) years is the longest he can recall. In 2000, there was a six (6) year contract in place.

Roll Call: Yea: Barnard, Billesbach, Clabaugh, Kerr, McLain, Morgan
Nay: None

MOTION CARRIED.

Resolution Number 6783 has been passed and adopted.

ORDINANCES

There were no ordinances.

PUBLIC FORUM

No one appeared at public forum.

DISCUSSIONS/REPORTS

NGage Quarterly Report

Trevor Lee, NGage Executive Director, presented the quarterly report to the Council. Lee stated the three (3) core areas NGage plans to focus on are: Business Retention & Expansion, Talent Attraction & Skilled Workforce Availability, and New Business Attraction. Lee noted twenty-one (21) business retention visits were

completed. NGage continues to work on building and maintaining their relationships with the local leaders, as well as those from regional headquarters.

Lee stated Manufacturing Day was held and a total of ninety (90) students from three (3) area schools participated. Tours were held at four (4) manufacturing facilities, which included food processing, welding, and machining. Lee noted NGage plans to work on expanding the opportunity to parochial schools. Lee would also like to continue to develop relations with the ESU's in the area to bring more awareness to both instructors and parents about job opportunities in our community. Councilman McLain inquired if the ages of the students who participated in Manufacturing Day and Lee stated it was opened up to Sophomores, Juniors, and Seniors this year.

City Administrator's Monthly Report

Tobias J. Tempelmeyer, City Administrator/General Manager, presented the quarterly report to the Council. Tempelmeyer welcomed all interested to attend the Open House for the New Fire Station on Saturday, October 23rd, from 10:00 a.m. to 12:00 p.m. Tempelmeyer noted the Big Blue River Access project will be wrapping up soon. Tempelmeyer stated the contractor is onsite and performing work on the Water Transmission Main that was scheduled last fall and it is going well. Tempelmeyer reported the City received the loan documents for SRF loan today and they will be brought back to Council for approval to move forward with those projects.

EXECUTIVE SESSION

Moved by Morgan, that the Beatrice City Council go into closed session at 7:20 p.m., for the protection of public interest to discuss contract negotiations. Seconded by Billesbach, that the Beatrice City Council go into closed session at 7:20 p.m., for the protection of public interest to discuss contract negotiations.

Acting Mayor Clabaugh announced that it has been moved by Morgan, seconded by Billesbach, that the Beatrice City Council go into closed session at 7:20 p.m., for the protection of public interest to discuss contract negotiations.

Roll Call: Yea: Barnard, Billesbach, Clabaugh, Kerr, McLain, Morgan
Nay: None

MOTION CARRIED.

Reconvened at 7:38 p.m.

ADJOURNMENT

The next regular City Council meeting is November 1, 2021 at 7:00 p.m. in the BPS Administration Building Board Room. There will be a Work Session on October 25, 2021 at 7:00 p.m. in BPS Administration Building Board Room.

Moved by Morgan, seconded by Billesbach, that the meeting be adjourned at 7:38 p.m.

Roll Call: Yea: Barnard, Billesbach, Clabaugh, Kerr, McLain, Morgan
Nay: None

MOTION CARRIED.

Erin Saathoff, CMC, City Clerk

Richard Clabaugh, Acting Mayor